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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,370	11/25/2003	Ruchi Mangalik	CS21628RL	6022

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MOTOROLA INC
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EXAMINER

PATEL, DHAIRYA A

ART UNIT	PAPER NUMBER
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2151

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/721,370	Applicant(s) MOTOROLA INC	
	Examiner Dhairya A. Patel	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application # 10/721,370 was filed on 11/25/2003. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6,8-14,17-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Bianconi et al. U.S. Patent # 2004/0127238 (hereinafter Bianconi).

As per claim 1, Bianconi teaches a method for allowing an access to a wireless communication device comprising:

-specifying an identity for accessing the wireless communication device

(Paragraph 29)(Paragraph 28)(Paragraph 29);

The reference teaches generating an identity request and receiving a identification response from it. Once the identity is known, performing authentication to accessing purposes.

-specifying a right for the identity wherein the right is for the access to a capability of the wireless communication device (Paragraph 29)(Paragraph 34);

The reference teaches once the authentication is complete, accessing the network, and SGSN sends an update location message to HLR to update its records with latest information (access to a capability) for the mobile node (wireless communication device).

-receiving a connection request (Paragraph 30)(Paragraph 31); and

-allowing the access according to the right when presented with a verification of the identity (Paragraph 29)(Paragraph 30)(Paragraph 31).

The reference teaches allowing the access when the authentication is completed and identity is known (when presented with verification of the identity).

As per claim 2, Bianconi teaches the method of claim 1 further comprising: receiving an access request prior to specifying the identity (Paragraph 28).

The reference receiving an identification request which is prior to knowing the identity.

As per claim 3, Bianconi teaches the method of claim 1 further comprising: storing the right and the identity (Paragraph 29).

As per claim 4, Bianconi teaches the method of claim 3 wherein the storing the right further comprises: storing an additional information with the identity, the additional information for restricting access upon receiving the connection request (Paragraph 34).

As per claim 5, Bianconi teaches the method of claim 4 wherein the additional information is one of a date, a time period, a duration, a version identifier, and group identifier (Paragraph 34).

The reference teaches additional information is a time period, and a version identifier (mobile station ID).

As per claim 6, Bianconi teaches the method of claim 1 further comprising: notifying a requestor of the right and the identity (Paragraph 35)(Paragraph 33).

As per claim 8, Bianconi teaches the method of claim 1 further comprising: generating a token for use as the verification of the identity, wherein the token is one of a random number, a clear data, an encrypted data, and a certificate (Paragraph 29)(Paragraph 34).

As per claim 9, Bianconi teaches the method of claim 1 wherein the access request further comprises: receiving the access request from a remote device (Paragraph 28).

The reference teaches receiving access request from a mobile device (remote device)

As per claim 10, Bainconi teaches the method of claim 1 wherein the specifying the right further comprises: specifying the right to access one of a game, a server process, and an application program (Paragraph 33)(Paragraph 34).

The reference teaches permitting access to a SMS messaging application service.

As per claim 11, Bianconi teaches the method of claim 1 wherein the specifying the identity further comprises: specifying the identity one of prior to the connection request and while the connection request is pending (Paragraph 28)(Paragraph 29).

As per claim 12, Bianconi teaches the method of claim 1 wherein the receiving the access request further comprises: receiving the access request via one of a circuit-switched connection, a short message service message, an Internet protocol connection and a user interface of the wireless communication device (Paragraph 25)(Paragraph 26).

The reference teaches access request is received by circuit switched connection an Internet Protocol connection.

As per claim 13, Bianconi teaches a wireless communication device arranged and constructed for permitting an access to the wireless communication device comprising: a user interface for specifying a criterion for permitting the access by a third party (Paragraph 28)(Paragraph 29); a transceiver for sending and receiving a communication (Paragraph 28)(Paragraph 29); and a controller coupled to the user interface and transceiver for permitting the access to the device when the criterion is satisfied by a connection request (Paragraph 10)(Paragraph 37).

As per claim 14, Bianconi teaches the wireless communication device of claim 13 wherein the controller is further operable to notify the third party that the access is approved (Paragraph 37).

As per claim 17, Bianconi teaches the wireless communication device of claim 13 wherein the controller supplies the criterion for use by the third party, the criterion comprising one of a random number, a coded data, an encrypted data, and a signed token (Paragraph 29)(Paragraph 34).

As per claim 18, Bianconi teaches the wireless communication device of claim 13 further comprising a memory for storing the criterion (Paragraph 37).

The reference teaches storing in the memory the instructions that define logic for introducing delay prior to initiating steps to tear down connection after mobile node has been connected (storing criterion)

As per claim 19, Bianconi teaches the wireless communication device of claim 18 wherein the access is revoked for a third party by deleting the criterion corresponding to the third party (Paragraph 36).

The reference teaches the connection is torn down and released (revoked for a third party by deleting)

As per claim 20, Biancoconi teaches the wireless communication device of claim 13 wherein the access is permitted to one of a game, a server, and an application (Paragraph 33)(Paragraph 34).

The reference teaches permitting access to a SMS messaging application service.

As per claim 21, Bianconi teaches the wireless communication device of claim 13 wherein specifying the criterion is performed prior to the incoming request or after the connection request is received (Paragraph 28)(Paragraph 29).

As per claim 22, Bianconi teaches the wireless communication device of claim 13 wherein the connection request is received by one of a circuit switched connection, a short message service connection, an electronic mail and an Internet Protocol connection (Paragraph 25)(Paragraph 26)(Paragraph 34)(Paragraph 33).

The reference teaches connection request is received by circuit switched connection and short message service connection.

As per claim 23, Bianconi teaches the wireless communication device of claim 13 wherein the connection request is received by the user interface, the criterion having been specified prior to the connection request (Paragraph 28)(Paragraph 29).

As per claim 24, Bianconi teaches the wireless communication device of claim 13 wherein the access is permitted over one of a circuit switched connection, a short message service connection, an Internet Protocol connection, and the user interface (Paragraph 33)(Paragraph 34).

As per claim 25, Bianconi teaches a wireless communication device arranged and constructed for supporting multiple users comprising: a user interface for designating a first user and a second user wherein the second user is authorized for a portion of a services set of the wireless communication device available to the first user (Paragraph 28)(Paragraph 29)(Paragraph 33)(Paragraph 34); and a controller for determining when one of the first and second users is authorized to access the wireless communication device, wherein the controller enforces access to the services set corresponding to the one of the first and second users (Paragraph 37)(Paragraph 33)(Paragraph 34).

As per claim 26, Bianconi teaches the wireless communication device of claim 25 wherein the portion of the services set available to the second user does not include voice communication (Paragraph 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 7,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bianconi et al. U.S. Patent # 2004/0127238 (hereinafter Bianconi) in view of Poor et al. U.S. Patent # 6,256,399 (hereinafter Poor).

As per claim 7, Bianconi teaches the method of claim 1 wherein the allowing the access but fails to teach further comprises using for the verification of the identity one of a caller identification, a token and the caller identification combined with the token. Bianconi teaches verification of the identity one of a caller identification, a token and the caller identification combined with the token (column 12 lines 8-14). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Poor's invention in Bianconi's teaching to come up verifying identity using caller ID. The motivation for doing so would be if the identity if not verified then the connection is terminated and the project management will be notified of the unauthorized access (column 12 lines 8-14).

As per claim 16, Bianconi teaches the wireless communication device of claim 13 but fails to teach wherein the controller uses a caller identification as the criterion.

Bianconi teaches the controller uses a caller identification as the criterion (column 12 lines 8-14). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Poor's invention in Bianconi's teaching to come up verifying identity using caller ID. The motivation for doing so would be if the identity if not verified then the connection is terminated and the project management will be notified of the unauthorized access (column 12 lines 8-14).

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bianconi et al. U.S. Patent # 2004/0127238 (hereinafter Bianconi) in view of Rasansky et al. U.S. Patent # 5,960,406 (hereinafter Rasansky)

As per claim 15, Bianconi teaches the wireless communication device of claim 14 but fails to teach wherein the notification includes an invitation to respond by electronic mail. Rasansky teaches sending notification includes an invitation to respond by electronic mail (column 10 lines 33-48). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Rasansky's teaching in Bianconi's teaching to come up with sending a notification includes an invitation to respond by email. The motivation for doing so would be so that the email can be read by email reader which will preferably allow user to click on the hypertext link in the email (column 10 lines 45-48).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

A). "System and method for providing voice communication for radio network" by Pang et al. U.S. Patent Publication # 2003/0043762.

6. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on Monday-Friday 7:00AM-4:30PM, first Fridays OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DAP

Khanh Dinh
Primary Examiner